

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re (National) Patent Application of Exelixis,
Plant Sciences, Inc. *et al.*

Attorney Docket No: EP04-001C-US

I.A. No.: PCT/US04/12826

I.A. Filing Date: 26 April 2004

For: GENES UPREGULATED IN A
TOMATO PLANT HAVING AN
INCREASED ANTHOCYANIN
CONTENT PHENOTYPE

STATEMENT UNDER 37 CFR 1.821-1.825

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In adherence with 37 CFR 1.821-1.825, this application is accompanied by a diskette containing SEQ ID NOS 01-12 in computer readable form and a paper copy of the sequence information. The computer readable Sequence Listing was prepared through the use of the software program "PatentIn" provided by the Patent and Trademark Office. The sequence information recorded in computer readable form is identical to that of the written Sequence Listing submitted herewith.

Respectfully submitted,

Dated: October 25, 2005



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